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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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10 SHANE MICHAEL SANDOVAL,

11 Plaintiff,

12 v.

13 DRYBAR HOLDINGS, LLC., *et al.*,

14 Defendants.

Case No. 2:19-cv-00180-RFB-VCF

ORDER

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16 Before the Court for consideration is the Report and Recommendation [ECF No. 37] of the
17 Honorable Cam Ferenbach, United States Magistrate Judge, entered May 3, 2019.

18 A district court “may accept, reject, or modify, in whole or in part, the findings or
19 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific
20 written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. §
21 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is
22 required to “make a de novo determination of those portions of the report or specified proposed
23 findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local
24 Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct
25 “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge.
26 Thomas v. Arn, 474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due
27 by May 17, 2019. No objections have been filed. The Court has reviewed the record in this case
28 and concurs with the Magistrate Judge’s recommendations.

IT IS THEREFORE ORDERED that the Amended Report and Recommendation [ECF No. 37] is ACCEPTED and ADOPTED in full.

IT IS ORDERED that Defendants' Motion to Strike Plaintiff's Complaint (ECF No. 25) is GRANTED WITH LEAVE TO AMEND as to Paragraphs 2 and 20.


IT IS FURTHER ORDERED that Defendants' Motion to Strike Plaintiff's Complaint (ECF No. 25) is GRANTED WITH PREJUDICE as to Paragraphs 25 and 29. The following phrases should be removed from the paragraphs:

Paragraph 25: “was forced to resign (purportedly because she was pregnant)” should be replaced by “resigned.”

Paragraph 29: “Campbell was typically drinking at the shop’s bar most days she was there and even purportedly admitted to other employees she had been reprimanded not to drink on the job” should be removed.

IT IS FURTHER ORDERED that, the Court accept this Report and Recommendation, the Court order Plaintiff to file an amended complaint prepared in accordance with this Report and Recommendation within two weeks of the order's issuance.

DATED: July 11, 2019.


RICHARD F. BOULWARE, II
United States District Judge